PACE 1/11 " RCVD AT 2/23/2004 8:12:28 PM [Eastern Standard Time] " SVR:USPTO-EFXRF-1/0 " DNIS:8729315 " CSID:317 595 0993 " DURATION (mm-ss):03-34

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OFFICIAL CARDINAL LAW GROUP

Evanston, Illinois 60201
Telephone 847 – 905 - 7111
Facsimile 847 – 905 – 7113

CONFIDENTIAL ATTORNEY-CLIENT PRIVILEGED COMMUNICATION

Date:

FEBRUARY 23, 2004

To:

EXAMINER JACKSON

U.S. PATENT AND TRADEMARK OFFICE

Fax #:

(703) 872-9315

From:

DARRIN WESLEY HARRIS

Fax #:

(847) 905-7111

Client/Matter No.:

7440/4

of Pages:

11

(including cover sheet)

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| | | | TO/SB/21 (12-97); Approved for use through 9/30/00. ONB 065 to Paper Reduction Act of 1995, no persons are required to respon | | | | | |
|-------------|--|--------------------|--|--|---|--|--|--|
| | TRANSMITTAL | Attomey Docket No. | 7440/4 | | | | | |
| | I I I I I I I I I I I I I I I I I I I | | Application Number | 09/765,843 | | | | |
| | FORM | | Fiting Date | JANUARY 19, 2001 JOHN J. EMERICK, JR. | | | | |
| | | | First Named Inventor | | | | | |
| | (to be used for all correspondence after initial fi | ling) | Group Art Unit | 2655 | | | | |
| | | | Examiner | JACKSON, J. | | | | |
| | | | | | | | | |
| | | ENC | LOSURES (check all that apply) | | - | | | |
| \boxtimes | Response to a Non-Final Office Action Dated November 21, 2003 | | Assignment Papers (for an Application) | | Appeal Communication to Board of Appeals and Interferences | | | |
| | After Final | י ם | Drawings: | | Appeal Communication to Group | | | |
| | Affidavits/declaration(s) | | After Allowance Communication to Group | | (Appeal Notice, Brief, Reply Brief) | | | |
| | | | Petition Routing Stip (PTO/SB/69) and | ۱ ـ | Organistas, Information | | | |

| | | ĘR | CLOSURES (check all that apply) | | | | | | |
|---|--|----|---|--|---|--|--|--|--|
| × | Response to a Non-Final Office Action Dated November 21, 2003 | | Assignment Papers (for an Application) | | Appeal Communication to Board of Appeals and Interferences | | | | |
| | After Final | | Drawings: | П | Appeal Communication to Group | | | | |
| | Affidavits/declaration(s) | | After Allowance Communication to Group | ш | (Appeal Notice, Brief, Reply Brief) | | | | |
| | | | Petition Routing Stip (PTC/SB/69) and Accompanying Petition | | Proprietary Information | | | | |
| | Status Letter | | To Convert a Provisional Application | | Post Card Receipt | | | | |
| | Extension of Time Request (duplic) | | Power of Attorney, Revocation Change of Correspondence Address | | Additional Enclosure(s) (please identify below): | | | | |
| | Express Abandonment Request | | Terminal Disclaimer | | | | | | |
| | Information Disclosure Statement, PTO-1449, art | | Small Entity Statement | | | | | | |
| | Certified Copy of Priority Document(s) | | Request of Refund | | | | | | |
| | Response to Missing Parts/ incomplete Application | × | The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-1713. A duplicate copy of this sheet is enclosed. | | | | | | |
| | | × | paper is timely filed. Please charge any ass | hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 50-1713. A duplicate copy of this sheet is enclosed. | | | | | |

CALCULATION OF FEE

| | | | | CALCULATION | OF F | L L | | | | | | |
|---|-----------------------------------|---------------|--|--------------------------------|---------|----------------|--------------|-----------|-----------------|-----------------|--------------|-----|
| | | | | | | Small E | Entity | | | Large Entity | | |
| | Claims After Amendment | | Highest No. Previously Pald For | Present Extra | | Rate | Add'i Fee | | or | Rate | Add'l Fee | _ |
| Total | | Minus | | 0 | | x \$9= | | 0 | | x \$18= | | |
| Indep. | <u> </u> | Minus | | 0 | ╛ | x \$43= | | 0 | | x \$86= | | |
| First Presentation of Multiple Dep. Claim | | | | } | +\$145= | | _ | | + \$290= | | | |
| | | -, | | | | total add1 fee | | 50 | | total add'i fee | | \$0 |
| | | | SIGNATURE O | F APPLICANT, A | TTO | RNEY, OR AG | ENT | | | | | |
| or Individua | | | .AW GROUP on Avenue, Suite : | 2000 | | T | | | | | | · |
| Signature | | I WIN | | | | | Date | Febr | bruary 23, 2004 | | | |
| | | | CE | RTIFICATE OF F | ACS | IMILE | | | | | | |
| I hereby to the Ur | certify that this nited States Pa | corresponder | nce is being transr rk Office and on th | nitted by facsimik is date: | e to (| 703) 872-9315 | | | | February 2 | 3, 2004 | _ |
| Signatur | | IN WESLEY H | VRRIS (40,636) | ` | | | Date: | <u>Fe</u> | bruar | y 23, 2004 | | |